

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

(109)

CWP-1979-2017

Decided on: February 03, 2017.

Mohinder Singh

.... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Gursimran Singh, Advocate, for the petitioner.

M.M.S. BEDI, J (ORAL)

Petitioner having been served with a notice dated 23.11.2016 by respondent No.3-Sub Divisional Magistrate, Garshankar, District Hoshiarpur on account of Mohan Singh having over-stayed the period of parole, requiring the petitioner to pay a sum of Rs.2 lacs.

The petitioner has approached this Court for a direction for leniency keeping in view the age and financial condition of the petitioner.

I have heard learned counsel for the petitioner and I am of the view that in case of any order passed on forfeiture of a bond under Section 446 Cr.P.C., an appeal is maintainable under Section 449 Cr.P.C.

The writ petition is disposed of as pre-mature and not maintainable at this stage with liberty to the petitioner to approach the Sub Divisional Magistrate, Garshankar, District Hoshiarpur in response to the notice and in case any adverse order is passed, to file an appeal in accordance with law before the Court of competent jurisdiction.

**(M.M.S. BEDI)
JUDGE**

February 03, 2017

harsha

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No